



MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
MARCH 21, 2007

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lenny Levy, Commissioners Lloyd Kaufman, Danny Winborne and Alternate Geri Lanier, Planning and Code Administration Director Greg Ossont, Community Planning Director Trudy Schwarz, Planners Jacqueline Marsh and Rob Robinson, and Recording Secretary Myriam Gonzalez. Chair Bauer noted Alternate Commissioner Lanier would be participating this evening, since not all Commissioners are present. Absent: Commissioner Hopkins.

I. APPROVAL OF MINUTES

March 7, 2007, Planning Commission Meeting

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE the Minutes of the March 7, 2007, Planning Commission Meeting, as submitted this evening.

Vote: 4-0-1 (Abstained: Lanier)

II. RECOMMENDATION TO MAYOR AND COUNCIL

SDP-06-005 -- Gary Unterberg, Rodgers Consulting, for Crown Farm Village, LLC
Request for approval of Schematic Development Plan SDP-06-005, per annexation X-182, known as the Crown Property (Parcels 445, 600, 905, 883, & 820), in Gaithersburg, Maryland. The proposed plan includes a mix of uses, including 2250 residential units and 320,000 square feet of future commercial uses on approximately 180 acres of land. The initial SDP application primarily concerns Neighborhoods 2 and 3 with the associated infrastructure. The subject property is bordered by Fields Road, Sam Eig Highway, and Omega Drive.

Alternate Commissioner Lanier stated that she had reviewed the background information concerning this application and felt competent to participate.

Planner Robinson noted this plan was the subject of a joint public hearing in November 2006, and two subsequent joint work sessions (December 2006 and January 2007). He located the site on an aerial photograph and noted that this SDP is based on Annexation Agreement X-182, approved in 2006, which established six neighborhoods and the number of units and uses as proposed, as well as provisions as discussed in the Staff Analysis of this application. He indicated the proposed SDP includes the infrastructure, e.g., storm water management (SWM), utilities, road code/environmental waivers, and traffic mitigation, and defines the plan for Neighborhoods 2 and 3.

Mr. Robinson provided a brief overview of the Staff Analysis of the proposal before the Commission this evening, which includes Neighborhoods 2 and 3 with a total of 46.5 percent open space; 322 residential units, amenities, and open space on 48.5 acres in Neighborhood 2;

and 288 residential units, club house/pool, and open space on 43 acres in Neighborhood 3. He added that the Design Guidelines for urban design, landscaping, neighborhoods and architecture with preliminary and conceptual elevations had been submitted. Mr. Robinson voiced staff's recommendation for SDP approval, as the plan complies with Zoning Ordinance § 24-160D.10, with conditions that he listed, noting they included revisions to those previously listed in the Staff Analysis.

Staff answered questions of Commissioners Winborne and Levy regarding apartments and building permits as part of phasing. Chair Bauer lead the discussion by calling for finished undersides of balconies and overhangs as part of standard materials in the Design Guidelines. He also stressed the need for careful consideration at final plan review of focal architectural points on key lots and of the driveway length on front-loaded single-family lots so that automobiles parked on the driveway do not encroach on the sidewalk. Regarding the latter, he added that 18 feet of driveway length might be insufficient. Staff noted optional measures (e.g., inseting the garages one foot from the façade) might be considered to address the latter.

Chair Bauer encouraged the applicant to participate in the LEED New Development Pilot Program for this project. Alternate Commissioner Lanier commented on a concern raised by neighbors of this project regarding the need for a fence on an adjacent community as part of off-site improvements. Planning and Code Administration Director Ossont noted that the applicant is working with adjacent communities on off-site improvements for pedestrian connectivity, adding, however, that this issue is outside the scope of this SDP in terms of conditions for approval. The Commission discussed additional language for Conditions 1, 5, and 9, and moved as follows:

Vice-Chair Levy moved, seconded by Commissioner Winborne, to recommend to the City Council APPROVAL of SDP-06-005 – Crown Property, with the following conditions:

1. Fields Road shall be designed and constructed based on the concept shown on the SDP-06-005 application with the Corridor Cities Transitway aligned within the center median. Should the applicable government permitting agency deny this proposed design for Fields Road prior to SDP approval, the SDP-06-005 application shall be re-reviewed and the current Planning Commission recommendations dated March 21, 2007, rescinded;
2. Applicant is to provide an Art in Public Places (AIPP) plan and commit funding of \$50,000, to be approved by City staff and the AIPP Committee prior to final site plan approval;
3. Applicant is to provide a proposed covenant, per Zoning Ordinance § 24-160D.9(c)(5), subject to review and approval by the City Attorney and City staff, indicating how the development area will be included in any homeowner's association or other organization, and how any open space, community space, storm water management (SWM) facilities or amenities located within the area, will be perpetually maintained and funded prior to final site plan approval;
4. Applicant shall continue to refine the roadway and alleyway designs and include appropriate traffic calming measures to

be reviewed and approved by DPWPM&E during the final site plan stage;

5. The Mayor and City Council shall approve the Design Guidelines as part of the SDP-06-005 approval, with the following clarification: balconies and overhangs are to have finished undersides;
6. Applicant shall dedicate the "Transit Project Dedication Area" referenced in Exhibit "E" of the Agreement at the earlier of the issuance of the 500th residential building permit or approval of the final record plat for the permitted development;
7. Applicant shall place all environmentally sensitive areas and forest conservation areas under a permanent conservation easement to be recorded on record plats;
8. Applicant shall donate to the City of Gaithersburg a parcel of land, from the Crown Village Property, not to exceed 32.1 acres upon recordation of the initial subdivision plat for the permitted development in Neighborhood 2 or Neighborhood 3;
9. Applicant shall dedicate the Neighborhood 4 City Park site, including any improvements, upon issuance of the 300th residential building permit for any approved development;
10. Applicant shall be entitled to receive an allocation of 225 building permits per year for the residential development in Neighborhoods 1, 2, and 3, during each of the first six (6) years after the date of the X-182 approved Annexation Agreement or until building permits for all of the residential units in Neighborhoods 1, 2, and 3 are issued. Any annual allocation of building permits not actually issued in any given year may be carried over into the subsequent year or years and said allocations shall be cumulative;
11. Construction of 80,000 square feet of commercial/retail development in Neighborhood 1 must be commenced by the issuance of the 470th building permit in Neighborhoods 2 and 3 and prior to the issuance of any single-family dwelling building permits in Neighborhood 1;
12. The construction of the LEED Certified Community Recreation Building in Neighborhood 3 shall be completed prior to the issuance of a total of 400 building permits for the Residential Development in Neighborhoods 2 and 3;
13. Prior to approval of building permits for those units delineated to be in the area greater than the 65 dba contour on the SDP-06-005 noise mitigation plan, there shall be certification by a professional engineer with competency in acoustical analysis that the building shell will attenuate

current exterior noise levels to an interior level not to exceed 45 dba Ldn;

14. A written commitment signed by the builder shall be submitted assuring that the construction of the units be in accord with the engineer's specifications for those units delineated to be in the area greater than the 65 dba contour on the SDP-06-005 noise mitigation plan;
15. Applicant is to submit truck turning, traffic calming, traffic signage, and lane marking plans to create orderly and safe vehicle movement throughout the site for approval by DPWPM&E and the City of Gaithersburg Fire Marshal prior to final site plan approval;
16. Applicant shall obtain from Montgomery County, review and approval of the roadway connection permits between the Montgomery County and the City portions of Decoverly and Diamondback Drives prior to the issuance of public improvement permits;
17. Applicant is to obtain letters from PEPCO, Washington Gas, Verizon, and Comcast approving conceptual utility plans prior to subsequent SDP amendment approvals and submit final designs of any utility plans prior to the issuance of public improvement permits ;
18. Applicant must obtain SWM concept plan approval prior to the issuance of rough grading permits;
19. Applicant must obtain approval of all environmental waivers, as recommended by City staff, from the Mayor and City Council prior to the approval of the final forest conservation plan;
20. Applicant must obtain approval of the final forest conservation plan, that include a woodland restoration plan, reforestation plan, and invasive species management plan, prior to the issuance of rough grading permits;
21. Applicant shall obtain approval of a wildlife management plan prior to the issuance of rough grading permits;
22. Applicant shall obtain all necessary approvals and permits for offsite impacts related to the environmental waivers from offsite property owners prior to final site plan approval and from County permitting agencies prior to the issuance of public improvement permits; and
23. Applicant shall be required to obtain an amendment to SDP-06-005 for Pods 1, 4, 5 and 6, including submission of the Design Guidelines and final architecture elevations for Pods 1 and 5, prior to seeking final site plan approval for Pods 1, 4, 5 and 6.

Vote: 5-0

III. FROM STAFF

Community Planning Director Schwarz

Noted the next regular meeting of the Commission is on April 4, and a joint public hearing with the City Council is scheduled for April 16.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:10 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary